

BILL ANALYSIS

Senate Research Center
79R2655 ESH-D

S.B. 973
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Education
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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Current law requires school boards to provide how and when parents or guardians will be notified concerning disciplinary alternative education program (DAEP) removals under Section 37.006, Education Code, and expulsions under Section 37.007, Education Code. Under current law, the method of parental notification must be in board policy and in the student code of conduct.

However, the range of time when parents or guardian are notified varies across the state. In some cases, school districts notify parents the same school day by phone call, in person when the parent comes to the school, or through a truancy officer. Data concerning the complete range of time for notifications is not available. Timely notification allows parents to know the whereabouts of their children. Parental notification of disciplinary action is also key to ensuring that the parents are involved in addressing the behavior of their child.

As proposed, S.B. 973 requires a student's parents or guardian to be notified immediately of removals under Section 37.006, Education Code, and expulsions under Section 37.007, Education Code.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 26, Education Code, by adding Section 26.0083, as follows:

Sec. 26.0083. RIGHT TO IMMEDIATE NOTICE OF DISCIPLINARY ACTION. (a) Entitles a parent to immediate notice from a school district if the parent's child is removed from class under Section 37.006 (Removal for Certain Conduct), Education Code, for placement in a disciplinary alternative education program or under Section 37.007 (Expulsion for Serious Offenses), Education Code, for expulsion or placement in a juvenile justice alternative education program.

(b) Entitles a noncustodial parent who has requested notice of disciplinary actions as provided by Section 37.0091 (Notice to Noncustodial Parent), Education Code, to notice under Subsection (a).

SECTION 2. Makes application of this Act prospective to the 2005-2006 school year.

SECTION 3. Effective date: upon passage or September 1, 2005.